

BRYAN CAVE LLP

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Attorneys for Defendant

McDONNELL DOUGLAS CORPORATION

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

JAMES GUTHRIE, TONY DAVIDSON,
RONALD ZERANGUE, SAMUEL
RESTER, JOHN GRAY, ELMER
PAROLINI, WAYNE DUFAULT, JESSE
BEVERLY, JR.,

Plaintiffs,

vs.

GENERAL ELECTRIC COMPANY,
TODD SHIPYARDS CORPORATION,
LOCKHEED MARTIN
CORPORATION, RAYTHEON
AIRCRAFT COMPANY, MCDONNELL
DOUGLAS CORPORATION, and
DOES 1-300,

Defendants.

Case No. C07-2542 JL

[Assigned to the Hon. James Larson]

**MCDONNELL DOUGLAS
CORPORATION'S NOTICE OF
TAG ALONG ACTION**

TO THE CLERK OF THE ABOVE-ENTITLED COURT, AND TO ALL
PARTIES AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that on July 29, 1991 the Judicial Panel on Multi-District Litigation entered an order transferring all asbestos personal injury cases pending in Federal Court to the United State District Court, Eastern District of Pennsylvania, for coordinated pretrial proceedings pursuant to 28 U.S.C. 1407 ("MDL Transfer Order"). That Order also applies to "tag-along actions," or actions involving

1 common questions of fact filed after the January 17, 1991 filing of the Panel's Order to
2 Show Cause.

3 MDL Rule 7.5(e) provides:

4 Any party or counsel in actions previously transferred under section 1407 or
5 under consideration by the Panel for transfer under section 1407 shall notify the
6 Clerk of the Panel of any potential "tag-along actions" in which that party is also
7 named or in which that counsel appears.

8 Defendant McDonnell Douglas Corporation hereby notifies the Court that this
9 case is a potential "tag-along action" which may be subject to the transfer to the
10 Eastern District of Pennsylvania. The Clerk of the Panel may either (1) enter a
11 conditional transfer order pursuant to MDL Rule 7.4(a), or (2) file an order to show
12 cause why the action should not be transferred, pursuant to MDL Rule 7.5(b).

13
14 Dated: June 11, 2007

BRYAN CAVE LLP
ROBERT E. BOONE III
TYLER R. JOHNSON

15
16
17 By: 

Tyler R. Johnson

Attorneys for Defendant

McDONNELL DOUGLAS CORPORATION

PROOF OF SERVICE

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is Bryan Cave LLP, 120 Broadway, Suite 300, Santa Monica, CA 90401.

On June 11, 2007, I served the foregoing document, described as MCDONNELL DOUGLAS CORPORATION'S NOTICE OF TAG ALONG ACTION, on each interested party in this action, as follows:

Alan R. Brayton
Brayton & Purcell LLP
222 Rush Landing Road
PO Box 6169
Novato, CA 94948-6169
Tel: 415-898-1555; Fax: 415-898-1247

☒ (BY MAIL) I placed a true copy (or original) of the foregoing document in a sealed envelope addressed to each interested party as set forth above. I placed each such envelope, with postage thereon fully prepaid, for collection and mailing at Bryan Cave LLP, Santa Monica, California. I am readily familiar with Bryan Cave LLP's practice for collection and processing of correspondence for mailing with the United States Postal Service. Under that practice, the correspondence would be deposited in the United States Postal Service on that same day in the ordinary course of business.

☒ (BY FAX) I caused a true copy of the foregoing document to be served by facsimile transmission at the time shown on each attached transmission report from sending facsimile machine telephone number (310) 576-2200 to each interested party at the facsimile number shown above. Each transmission was reported as complete and without error. A transmission report was properly issued by the sending facsimile machine for each interested party served. A true copy of each such transmission report is attached hereto.

Executed on June 11, 2007, at Santa Monica, California.

☒ (FEDERAL ONLY) I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

I declare under penalty of perjury under the laws of the United States of America and the state of California that the foregoing is true and correct.

/s/ Diane Kinder
Diane Kinder

BRYAN CAVE LLP
120 BROADWAY, SUITE 300
SANTA MONICA, CALIFORNIA 90401-2386

*** TX REPORT ***

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Date: June 11, 2007
From: Tyler R. Johnson Telephone: 310-576-2363
To: Allan R. Brayton Fax Number: 415 -898-1247
Company: Brayton & Purcell LLP Telephone: 415 -898-1555

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Message:

Guthrie et al. vs. General Electric Company et al.
USDC Northern - San Francisco - C07-2542 JL

Service copies attached of McDonnell Douglas Corporation's:

Answer to Complaint

Certification of Interested Entities or Persons

Notice of Tag Along Action

Notice of Pendency of Other Action

Copies will follow via U.S. Mail